

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

LESTER J. SMITH,

Plaintiff,

V.

CARL HUMPHREY et al.,

Defendants.

CIVIL ACTION NO. 5:12-CV-15 (MTT)

ORDER

This matter is before the Court on the Recommendation of United States Magistrate Judge Charles H. Weigle. (Doc. 71). In a “Motion for Imminent Danger,” the Plaintiff has moved for a preliminary injunction, stating that he has been diagnosed with “a serious medical need of hep-c” and asking the Court to order treatment by an outside medical agency. (Doc. 62). The Magistrate Judge recommends that the Plaintiff’s motion be denied because the Plaintiff has failed to show that he will suffer irreparable harm absent injunctive relief. Specifically, the Plaintiff has broadly alleged lack of medical care but has not presented any specific evidence of actual harm that has resulted.

The Plaintiff filed an Objection to the Magistrate Judge's recommendation. (Doc. 72). However, he still does not state with any specificity the irreparable harm he will suffer without injunctive relief. He does not allege any worsening symptoms or even ill effects that the disease is causing him to experience. Therefore, after considering the

Plaintiff's objection and conducting a de novo review of the portions of the Recommendation to which he objects, the Recommendation is adopted and made an order of this Court.

The Plaintiff's motion for preliminary injunction is **DENIED**.

SO ORDERED, this 24th day of September, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT